

REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.116 and in light of the remarks which follow, are respectfully requested.

By the above amendments, claim 1 has been amended to delete Formula (II) therefrom. Claim 1 has also been amended to recite that, in connection with Formula (I), the substituent of R¹ is selected from the group consisting of a lower alkyl group having 1 to 5 carbon atoms, a lower alkoxy group having 1 to 5 carbon atoms, an alkoxy carbonyl group having 2 to 6 carbon atoms and having a lower alkyl group having 1 to 5 carbon atoms, a lower alkylthio group having 1 to 5 carbon atoms, and a halogen atom. Support for such amendment can be found in the present specification at least at page 13, line 13 to page 14, line 21. Claim 12 has been amended for readability purposes. New dependent claims 20 and 21 have been added which are directed to additional aspects. Support for such newly added claims can be found in the instant specification at least at page 13, lines 18-19, page 14, lines 7-8, taken in connection with page 14, lines 17-21. Entry of the foregoing amendments is proper at least because they are effective to place the application in condition for allowance. See M.P.E.P. §714.12.

It is noted that claim 4 presented in the listing of claims set forth in the Amendment filed on July 17, 2008, contained extraneous text, the inclusion of which was due to a clerical error. Such extraneous text has been removed from claim 4 of the presently submitted listing of claims.

In the Official Action, claims 1, 2, 4 and 12 stand rejected under 35 U.S.C. §103(a) as being obvious over Japanese Patent Document No. 2001-166144 (JP '144),

in view of Japanese Patent Document No. 11-058425 (JP '425) and Japanese Patent Document No. 2002-020363 (JP '363). The Patent Office has relied on U.S. Patent No. 6,630,973 (*Matsuoka et al*) as being an English language equivalent of JP '144. Withdrawal of this rejection is respectfully requested for at least the following reasons.

Matsuoka et al does not disclose or suggest each feature recited in independent claim 1. For example, *Matsuoka et al* does not disclose or suggest a step of preparing a cellulose acylate solution containing 0.01 to 20 parts by weight of an aromatic compound having at least two aromatic rings relative to 100 parts by weight of a cellulose acylate, wherein the aromatic compound is a compound represented by Formulae (I), (III) or (IV). In this regard, *Matsuoka et al* discloses various compounds at columns 13-18 thereof which employ a -NH- group between each R group and the triazine ring. However, none of such compounds correspond to the claimed aromatic compound represented by Formulae (I), (III) or (IV). As noted above, Formula (II) has been deleted from claim 1. Thus, it is apparent that Compounds (422) and (423) disclosed at column 17 of *Matsuoka et al* do not correspond to the claimed aromatic compound. There is simply no disclosure or suggestion of the recited formula (I) compound wherein R¹ denotes an aromatic ring having a substituent at the **ortho position and/or the meta position**, and R² denotes an aromatic ring or a hetero ring which may be substituted, wherein R¹ and R² are not identical. Nor is there any disclosure or suggestion of the recited formula (III) compound in which R⁸ denotes an aromatic ring having a substituent at the **ortho position and/or the meta position**. Further, *Matsuoka et al* fails to disclose or suggest the recited formula (IV) compound wherein R⁹, R¹⁰, and R¹¹ denote **different aromatic rings or hetero rings, which may be substituted**.

Furthermore, *Matsuoka et al* does not disclose or suggest a step of blowing a gas on the cellulose acylate solution at an effective wind speed of at least 10m/min during a first half of drying prior to peel-off, as recited in claim 1. This deficiency has been acknowledged at page 3 of the Official Action.

The secondary applied documents (i.e., *JP '363* and *JP '425*) fail to cure the above-described deficiencies of *Matsuoka et al*. In this regard, the Patent Office has relied on *JP '363* for disclosing the compounds (44) and (46) set forth at pages 20-21 thereof. See Official Action at page 3. As noted above, claim 1 has been amended to recite that the substituent or R¹ is selected from the group consisting of a lower alkyl group having 1 to 5 carbon atoms, a lower alkoxy group having 1 to 5 carbon atoms, an alkoxy carbonyl group having 2 to 6 carbon atoms and having a lower alkyl group having 1 to 5 carbon atoms, a lower alkylthio group having 1 to 5 carbon atoms, and a halogen atom. By comparison, the compounds (44) and (46) contain aromatic groups substituted with -O-n-C₁₂H₂₅ groups, and as such do not correspond to the formula (I) compound as now claimed.

JP '425 has been relied on for disclosing a method of forming a film on a drum/belt wherein the film is dried by passing air at a speed of 0.1 - 2 m/sec during a "first stage drying" followed by a "second stage drying". See Official Action at page 3. Applicants submit that the "first stage drying" disclosed in *JP '425* refers to the stage before a membrane-like composition cast on a substrate reaches gelation-temperature based on polymer solution components. See col. 2, lines 46 to col. 3 lines 19. Thus, the "first stage drying" mentioned in the abstract of *JP '425* does not have the same meaning as the "first half of drying prior to peel-off" as recited in claim 1. Simply put, *JP '425* does not disclose or suggest blowing a gas on the cast cellulose acylate solution

at an effective wind speed wind speed of at least 10m/min during a first half of drying prior to peel-off.

Furthermore, like *Matsuoka et al*, JP '425 fails to disclose or suggest a step of preparing a cellulose acylate solution containing 0.01 to 20 parts by weight of an aromatic compound having at least two aromatic rings relative to 100 parts by weight of a cellulose acylate, wherein the aromatic compound is a compound represented by Formulae (I), (III) or (IV), as recited in claim 1.

As discussed in Applicants' disclosure at page 3, employing exemplary aspects of the claimed invention can result in particular advantages. For example, the occurrence of the deposition of an optical compensation film additive on the film surface during the production process (i.e., weeping), can be reduced or prevented. Further, by employing the exemplary processes, a film having a high retardation value and a surface condition in which optical uniformity within the film is excellent can be obtained with high productivity and efficiency.

Examples 1 and 3 set forth in the instant specification show that films produced by employing a particular effective wind speed in the first half of drying prior to peel-off and a particular retardation increasing agent, in accordance with exemplary processes, exhibited excellent optical properties such as, for example, high and uniform in-plane R_{th} retardation values. As well, liquid crystal display devices employing cellulose acylate films formed by exemplary processes exhibited little display unevenness and gave a good image, as can be seen in Examples 2 and 4. Furthermore, Examples 7-9 and Comparative Example 1 provide experimental data concerning the weeping performance of a film obtained from an exemplary process in comparison with a film obtained by employing comparative compound I-(51), which corresponds to Compound

(250) disclosed at column 14 of *Matsuoka et al.* As can be seen from the results shown in Table 7, the weeping performance in connection with the use of inventive Compound I-(2) was superior to the weeping performance in connection with the use of comparative Compound I-(51). The examples set forth in the specification exemplify the advantages attainable through employing exemplary processes of the claimed invention, and make further apparent the non-obviousness of the claimed invention.

For at least the above reasons, it is apparent that the claims are non-obvious over the alleged combination of *JP '144*, *JP '425* and *JP '363*. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: February 2, 2009

By:



Roger H. Lee
Registration No. 46317

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620